

The "THIRTY EIGHTH MEETING" (SPECIAL) of the Port Colborne City Council was held for purposes of a Public Hearing under the *Planning Act* at the Municipal Offices, 66 Charlotte Street, Port Colborne on Monday, December 15, 2014 commencing at approximately 6:31 p.m.

### **ATTENDANCE**

Mayor John Maloney presided with the following members in attendance:

### **COUNCILLORS**

D. Elliott	J. Mayne
A. Desmarais	Y. Doucet
F. Danch	B. Kenny
R. Bodner	B. Butters

### **REGIONAL COUNCILLOR**

D. Barrick

### **STAFF**

R. Heil, Chief Administrative Officer  
A. Molenaar, Deputy Clerk  
D. Aquilina, Director of Planning & Development  
R. Hanson, Director of Engineering & Operations  
P. Senese, Director of Community & Corporate Services  
H. Hakim, Manager of Community Services  
D. D'Innocenzo, Licensing Clerk  
H. Mahon, Recording Clerk

Also in attendance were interested citizens, members of the news media and Cogeco TV.

### **CALL MEETING TO ORDER – MAYOR JOHN MALONEY**

By general consensus item 6 (Presentations) of the Committee of the Whole Agenda was brought forward for consideration during the Special Council meeting. The minutes reflect the order of the agenda.

#### **1. NATIONAL ANTHEM**

McKay Public School Choir sang O' Canada and three Christmas carols.

#### **2. CONFIRMATION OF THE AGENDA**

**No. 282** Moved by Councillor R. Bodner  
Seconded by Councillor J. Mayne

That the agenda of the Special Meeting of Council of December 15, 2014 be confirmed as circulated.  
CARRIED.

#### **3. DISCLOSURES OF INTEREST**

Nil.

#### **4. PUBLIC HEARING UNDER THE DEVELOPMENT CHARGES ACT**

(a) Department of Planning & Development, Report No. 2014-86, Subject: Public Hearing Report – Proposed Amendment to Development Charge By-law 6131/97/14: 2 Year Waiving of Charges for Commercial, Institutional, and Industrial Uses

**(i) PRESENTATION OF PROPOSED AMENDMENT TO DEVELOPMENT CHARGES BY-LAW**

Dan Aquilina addressed Council and advised that the purpose of this meeting is to consider an amendment to the Development Charge By-law 6131/97/14. Mr. Aquilina also wished to make a correction as the Notice for tonight's meeting was placed in "The Leader" on November 20, 2014 and not "The In Port" as indicated in the report. Mr. Aquilina also advised that Notice was placed on the City's website.

Mr. Aquilina then provided a brief background on the proposed amendment. Back in September of 2014, Council approved a by-law to waive residential development charges for a 2 year period from September 9, 2014 to September 8, 2016. He advised that the current charges for Commercial/Institutional uses are at \$1.52 in the rural area and \$3.16 in the urban area. Industrial Development charges are at \$0.58 in the rural area and \$1.20 in the urban area.

Council then asked staff to also look into the impact of waiving development charges on a community wide basis for the Commercial/Institutional and Industrial areas. Mr. Aquilina advised that with the City's current Community Improvement Plans there are a number of exemptions already in place. He noted that Industrial Development charges are based on the square footage and anything under 50% of the gross floor area is already exempt and anything over 5000 square feet. Commercial property in the CIP areas are already 100% exempt from development charges. Mr. Aquilina noted that a staff report on the waiving of the Commercial, Institutional, and Industrial charges will be brought to Council on January 12, 2015.

Mr. Aquilina then advised he has received 2 comments from the public by e-mail concerning the proposed amendment. One was from Mr. Steven Rivers of 189 Clare Avenue who is opposed to the waiving of the development charges as it will add extra burden to the residential taxpayers. He believes that a complete study should be done to determine the effects prior to waiving any development charges. Another e-mail was received from Mr. Marcel Gingras (no address included), who is also opposed to the waiving of the development charges for the same reason given as Mr. Rivers.

**(ii) QUESTIONS OF CLARIFICATION TO PLANNING STAFF**

Councillor Doucet questioned Mr. Aquilina on the 2 year time frame. Mr. Aquilina responded that they were looking to have it coincide with the Residential amendment already in place as it will make the program easier to implement.

Councillor Mayne questioned Mr. Aquilina on how they arrived at the 0.24% loss of taxes. Mr. Aquilina responded that this forecast was based on applicable development in the past.

**(iii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC**

Nil.

Mr. Aquilina then advised that anyone who makes comments or presentation to Council can appeal the decision of the development charge by-law to the Ontario Municipal Board. If anyone does so there is a 20 day appeal period prior to the passing of the by-law.

Mr. Aquilina also advised that there is a sign in sheet for anyone who wishes to be notified of Council's decision. Persons wishing to be notified of the decision can also contact the City Clerk for further notification.

5. **ADJOURN**

**No. 283** Moved by Councillor B. Butters  
Seconded by Councillor B. Kenny

That there being no further business, special meeting of Council be adjourned at approximately 6:55 p.m.  
CARRIED.

  
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John Maloney  
MAYOR

  
Annette Motenaar  
DEPUTY CLERK *FM.*

Minutes prepared by the Department of Planning and Development.

DA/hm